

REMARKS

The Office Action mailed February 11, 2005 has been reviewed and carefully considered. Claims 1-19 remain pending, the independent claims remaining 1, 7 and 14. Claims 7, 8, 14 and 16 have been amended to recite "refractive index" instead of the inadvertently recited "reflective index." Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Claims 1-3, 7-10 and 14-16 stand rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent Publication No. 2003/0123799 to Lazaro Villa ("Lazaro").

The enclosed affidavit under 37 CFR 1.131 shows that, although the Lazaro U.S. filing date of December 10, 2002 precedes the priority date of January 21, 2003 of the instant application, the instant application has an effective filing date of September 18, 2002. Since September 18, 2002 precedes December 10, 2002, Lazaro is not prior art with regard to the claims of the instant application. Accordingly, the rejection is invalid.

Conception of the invention is established as of September 18, 2002, by virtue of Exhibit B which includes the Invention Disclosure of September 18, 2002 (see pages 2 and 3 of Exhibit B).

The affidavit details due diligence from prior to September 18, 2002 until constructive reduction to practice and/or filing of the priority application on January 21,

2003. In accordance with 37 CFR 1.131(b), an effective filing date September 18, 2002 is therefore established for the instant application. Since this date precedes the effective date of Lazaro as a reference under 35 U.S.C. 102(e), Lazaro does serve as prior art against the claims of the instant application.

For at least the foregoing reasons, Lazaro fails to anticipate any of claims 1, 7 and 14, as amended.

Claims 6, 13 and 19 stand rejected under 35 U.S.C. 103(a) as unpatentable over Lazaro.

Claims 6, 13 and 19 depend from the respective base claims. Lazaro has been shown in the foregoing section not to constitute valid prior art against the claims of the present application.

Claims 4, 11 and 17 stand rejected under 35 U.S.C. 103(a) as unpatentable over Lazaro in view of U.S. Patent No. 4,812,012 to Terada et al. ("Terada").

Claims 4, 11 and 17 depend from the respective base claims. Lazaro has been shown in the foregoing section not to constitute valid prior art against the claims of the present application.

Terada is cited for a specific refractive index, but cannot make up for the above-noted shortcoming(s) of Lazaro.

Claims 5, 12 and 18 stand rejected under 35 U.S.C. 103(a) as unpatentable over Lazaro in view of U.S. Patent Publication No. 2003/0021567 to Yoneda.

Claims 5, 12 and 18 depend from the respective base claims. Lazaro has been shown in the foregoing section not to constitute valid prior art against the claims of the present application.

Yoneda is likewise cited for a specific refractive index, but cannot make up for the deficiencies in Lazaro.

As to the other rejected claims, each depends from a respective base claim, and is deemed to distinguish patentably over the applied reference(s) for at least the same reason(s) cited above with respect to the base claim.

Claims 7, 8, 14 and 16 have been corrected by substituting the word "refractive" for "reflective." This inadvertent error, i.e., referring to a "refractive index" as a "reflective index," is clear from the second paragraph of the "Summary of the Invention" and from the disclosure in general.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Amendment
Serial No. 10/625,161


Docket No. 5000-1-414

In the event that any additional fee is required to continue the prosecution of this Application as requested, please charge such fee to Deposit Account No. 502-470.

If the Examiner has any questions regarding this Application, it is respectfully requested that the Applicants' attorney of record be contacted at the below-noted telephone number.

Respectfully submitted,

CHA & REITER

By: 
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Attorney for Applicant

Date: 5/10/05

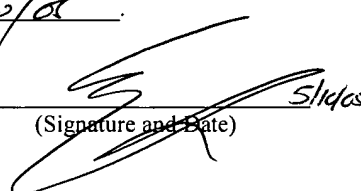
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(Name of Registered Rep.)

 5/10/05
(Signature and Date)